IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY THIRD DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 24208 of 2004

Between:

1 G. Subba Rao, s/o Gopal Rao, Hindu,
Govt. Junior College, Cherla, Khammam District.
2 P. Sushmitha Rajini, S/o Harakumar, Hindu,
Govt. Junior College, Kukunoor, Khammam District.
3 B. Vinod Babu, S/o Mallaiah, Hindu,
A.S.R. Govt. Junior College, Shanthinagar, Khammam District.
4 B. Kavitha, W/o Srinivas, Hindu,
A.S.R. Govt. Junior College, Shanthinagar, Khammam District.
5 Chella Usha Rani, D/o Babu Rao, Hindu,
Govt. Junior College,Mulakalapalli, Khammam District.
6 B. Narasimha Rao, S/o Ramaiah, Hindu,
Govt. Junior College,Mulakalapalli, Khammam District.
7 P.V. Hemalatha, D/o Samuel, Christian,
Govt. Junior College,Mulakalapalli, Khammam District.

..... PETITIONERS

AND

1 The Government Junior College, Cherla, Khammam District,
Rep. by its Principal.
2 The Govt. Junior College, Kukunoor, Khammam District,
Rep. by its Principal.
3 A.S.R. Govt. Junior College, Shanthinagar, Khammam District,
Rep. by its Principal.
4 The Government Junior College, Mulakalapalli, Khammam District,
Rep. by its Principal.
5 The Director of Intermediate Education, Government of Andhra Pradesh,
Hyderabad.
6 The Government of Andhra Pradesh, Rep. by its Secretary,
Department of Higher Education, Secretariat, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the

circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents in not continuing the petitioners as Lecturers in their respective faculties as per the agreement made between the petitioners and respondents as illegal, arbitrary and in violation of principles of Natural justice and consequently direct the Respondents to continue the petitioners as Lecturers in their respective faculties till the end of agreement period ie., 28-2-2005.

Counsel for the Petitioner:MR.S.ABHAY KUMAR SAGAR

Counsel for the Respondent Nos.1 to 4 & 6: GP FOR HIGHER EDUCATION

Counsel for the Respondent No.5: MR.S.S.PRASAD, STANDING COUNSEL

The Court at the stage of admission, made the following :

ORDER:

For not continuing the petitioners as lecturers as per the agreement made between the petitioners and respondents, the present writ petition is filed.

The learned counsel for the petitioners contended that for the posts of junior lecturers petitioners were selected through regular selection process. The proceedings dated 10.12.2004 were kept in abeyance by the Regional Joint Director of Intermediate Education, Warangal.

The learned Government Pleader opposed the same.

The facts are not in dispute. The petitioners were appointed by the 2nd respondent vide proceedings No.Rc.RD Ser.112/2138/2003, dated 03.09.2004 on contract basis. The validity of the contract period is up to 28.02.2005, and since the time of appointment the writ petitioners have been discharging their duties. Contrary to the terms of the contract of agreement, the writ petitioners were orally instructed not to attend the classes from 15.12.2004. The act of the respondents in terminating the services of the petitioners orally is contrary to the terms of contract of agreement, which is in force till 28.02.2005.

Therefore, the writ petition is allowed directing the respondents to

continue the petitioners, as per agreement, till 28.02.2005. No order as to costs.

23.12.2004

NOTE: Office to furnish C.C by tomorrow

(B.O) bsv

To

1 The Principal , Government Junior College, Cherla, Khammam District,
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2 The Principal , Government. Junior College, Kukunoor, Khammam District,

3 The Principal, A.S.R. Government. Junior College, Shanthinagar, Khammam District,

4 The Principal ,Government Junior College, Mulakalapalli, Khammam District,

5 The Director of Intermediate Education, Government of Andhra Pradesh, Hyderabad.

6 The Secretary , Government of Andhra Pradesh, Department of Higher Education, Secretariat, Hyderabad.

7.2 CCs to the Government Pleader for Higher Education, High Court Buildings, A.P., Hyderabad (OUT)

8. 2 CD copies